

# **EXHIBIT 8**

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January 13, 2020

**BY EMAIL**

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Re: *CSX Transportation, Inc., et al v. Norfolk Southern Railway Company, et al*  
Civil Action No.: 2:18-cv-00530

January 13, 2020  
Page 2

Dear Counsel:

As you are aware, the parties in this matter are in the midst of discovery. A significant number of discovery requests have been propounded by the parties, and a substantial number of documents remain to be produced on both sides. The parties have engaged in numerous productive meet-and-confers, another scheduled for later this week. CSXT and NSR also continue to negotiate regarding NSR's response to discovery requests propounded by CSXT that are directly relevant to issues that will be the subject of expert opinion and testimony in this case. The current schedule does not allow sufficient time for the parties to resolve these issues, much less obtain and analyze relevant and necessary documents and data, before the deadlines for opening expert reports have run.

Accordingly, on behalf of CSXT, we ask that the parties come to an agreement regarding an extension of expert deadlines. We may need to address other deadline extensions in the future, but for the time being, relief with respect to the expert reports would allow the parties time to resolve pending discovery issues and properly analyze the documents and data produced in this case. CSXT asks that the deadlines be extended as follows:

- Plaintiff's Expert Report Deadline – from February 10, 2020 to March 9, 2020
- Expert Witness Response Deadline – from March 10, 2020 to April 8, 2020
- Expert Witness Rebuttal Deadline – From March 25, 2020 to April 23, 2020
- Expert & De Bene Esse Deposition Deadline – From April 7, 2020 to May 6, 2020
- Dispositive Motion Deadline – From April 16, 2020 to May 13, 2020

Your prompt attention to this matter is appreciated. Please let us know your position on CSXT's proposal no later than Wednesday, January 15, 2019. If we cannot reach agreement, CSXT intends to file a Motion with the Court seeking expedited relief. With best wishes, I am

Sincerely yours,



Robert W. McFarland

RWM:kyw

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